

DECLARATION FOR NON-PROVISIONAL PATENT APPLICATION*

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below at 201 et seq. beneath my name.

I believe I am the original, first and sole inventor if only one name is listed at 201 below, or an original, first and joint inventor if plural names are listed at 201 et seq. below, of the subject matter which is claimed and for which a patent is sought on the invention entitled

MEDICAL DEVICE WITH DRUG DELIVERY MEMBER

and for which a patent application:

- ☒ is attached hereto and includes amendment(s) filed on (if applicable)
- ☐ was filed in the United States on as Application No. (for declaration not accompanying application) with amendment(s) filed on (if applicable)
- ☐ was filed as PCT international Application No. on and was amended under PCT Article 19 on (if applicable)

I hereby state that I have reviewed and understand the contents of the above identified application, including the claims, as amended by any amendment referred to above

I acknowledge the duty to disclose information known to me to be material to patentability as defined in Title 37, Code of Federal Regulations, §1.56.

I hereby claim foreign priority benefits under Title 35, United States Code, §119(a)-(d) of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed:

EARLIEST FOREIGN APPLICATION(S), IF ANY, FILED PRIOR TO THE FILING DATE OF THE APPLICATION				
APPLICATION NUMBER	COUNTRY	DATE OF FILING (day, month, year)	PRIORITY CLAIMED	
			YES <input type="checkbox"/>	NO <input checked="" type="checkbox"/>
			YES <input type="checkbox"/>	NO <input checked="" type="checkbox"/>

I hereby claim the benefit under Title 35, United States Code, §119(e) of any United States provisional application(s) listed below.

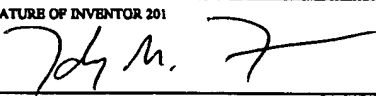
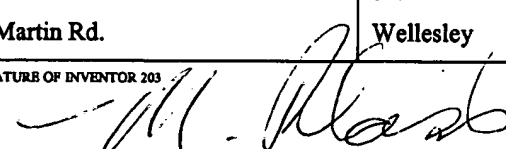

PROVISIONAL APPLICATION NUMBER	FILING DATE

I hereby claim the benefit under Title 35, United States Code, §120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code §112, I acknowledge the duty to disclose information known to me which is material to patentability as defined in Title 37, Code of Federal Regulations, §1.56 which became available between the filing date of the prior application and the national or PCT international filing date of this application:

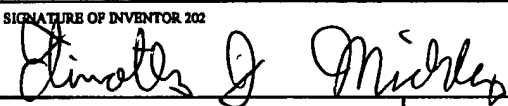
NON-PROVISIONAL APPLICATION SERIAL NO	FILING DATE	STATUS		
		PATENTED	PENDING	ABANDONED

* for use only when the application is assigned to a company, partnership or other organization.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

2 0 1	FULL NAME OF INVENTOR	LAST NAME Freyman	FIRST NAME Toby	MIDDLE NAME	
	RESIDENCE & CITIZENSHIP	CITY Watertown	STATE OR FOREIGN COUNTRY MA	COUNTRY OF CITIZENSHIP United States	
	POST OFFICE ADDRESS	STREET 41 Warwick Rd.	CITY Watertown	STATE OR COUNTRY MA	ZIP CODE 02472
	SIGNATURE OF INVENTOR 201 			DATE 7/16/03	
2 0 2	FULL NAME OF INVENTOR	LAST NAME Mickley	FIRST NAME Timothy	MIDDLE NAME J.	
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	POST OFFICE ADDRESS	STREET 21870 Xenon Street	CITY Elk River	STATE OR COUNTRY MN	ZIP CODE 55330
	SIGNATURE OF INVENTOR 202			DATE	
2 0 3	FULL NAME OF INVENTOR	LAST NAME Palasis	FIRST NAME Maria	MIDDLE NAME J.	
	RESIDENCE & CITIZENSHIP	CITY Wellesley	STATE OR FOREIGN COUNTRY MA	COUNTRY OF CITIZENSHIP United States	
	POST OFFICE ADDRESS	STREET 65 Martin Rd.	CITY Wellesley	STATE OR COUNTRY MA	ZIP CODE 02481
	SIGNATURE OF INVENTOR 203 			DATE 7/16/03	
2 0 4	FULL NAME OF INVENTOR	LAST NAME Naimark	FIRST NAME Wendy	MIDDLE NAME	
	RESIDENCE & CITIZENSHIP	CITY Cambridge	STATE OR FOREIGN COUNTRY MA	COUNTRY OF CITIZENSHIP Canada	
	POST OFFICE ADDRESS	STREET 2 Ware Street, #306	CITY Cambridge	STATE OR COUNTRY MA	ZIP CODE 02138
	SIGNATURE OF INVENTOR 204 			DATE 7/16/03	

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

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	SIGNATURE OF INVENTOR 201			DATE	
2 0 2	FULL NAME OF INVENTOR	LAST NAME Mickley	FIRST NAME Timothy	MIDDLE NAME J.	
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	POST OFFICE ADDRESS	STREET 21870 Xenon Street	CITY Elk River	STATE OR COUNTRY MN	ZIP CODE 55330
	SIGNATURE OF INVENTOR 202 			DATE 7-14-3	
2 0 3	FULL NAME OF INVENTOR	LAST NAME Palasis	FIRST NAME Maria	MIDDLE NAME J.	
	RESIDENCE & CITIZENSHIP	CITY Wellesley	STATE OR FOREIGN COUNTRY MA	COUNTRY OF CITIZENSHIP United States	
	POST OFFICE ADDRESS	STREET 65 Martin Rd.	CITY Wellesley	STATE OR COUNTRY MA	ZIP CODE 02481
	SIGNATURE OF INVENTOR 203			DATE	
2 0 4	FULL NAME OF INVENTOR	LAST NAME Naimark	FIRST NAME Wendy	MIDDLE NAME	
	RESIDENCE & CITIZENSHIP	CITY Cambridge	STATE OR FOREIGN COUNTRY MA	COUNTRY OF CITIZENSHIP Canada	
	POST OFFICE ADDRESS	STREET 2 Ware Street, #306	CITY Cambridge	STATE OR COUNTRY MA	ZIP CODE 02138
	SIGNATURE OF INVENTOR 204			DATE	

Express Mail No. EV335856542US

POWER OF ATTORNEY

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of:	FREYMAN et al.	Confirmation No.:	Not yet known
Serial No.:	To be assigned	Art Unit:	To be assigned
Filed:	Concurrently	Examiner:	To be assigned
For:	MEDICAL DEVICE WITH DRUG DELIVERY MEMBER	Attorney Docket No.:	10177-169-999

**POWER OF ATTORNEY BY ASSIGNEE
AND EXCLUSION OF INVENTOR(S) UNDER 37 C.F.R. 3.71
WITH STATEMENT UNDER C.F.R. 3.73(b)**

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

The undersigned assignee of the entire interest in the above-identified subject application hereby appoints Berj A. Terzian (Reg. No. 20060), David Weild, III (Reg. No. 21094), Barry D. Rein (Reg. No. 22411), Philip T. Shannon (Reg. No. 24278), Francis E. Morris (Reg. No. 24615), Gidon D. Stern (Reg. No. 27469), John J. Lauter, Jr. (Reg. No. 27814), Brian M. Poissant (Reg. No. 28462), Rory J. Radding (Reg. No. 28749), Stephen J. Harbulak (Reg. No. 29166), Donald J. Goodell (Reg. No. 19766), Thomas E. Friebe (Reg. No. 29258), Laura A. Coruzzi (Reg. No. 30742), Geraldine F. Baldwin (Reg. No. 31232), Victor N. Balancia (Reg. No. 31231), Samuel B. Abrams (Reg. No. 30605), Adriane M. Antler (Reg. No. 32605), Thomas G. Rowan (Reg. No. 34419), James G. Markey (Reg. No. 31636), Thomas D. Kohler (Reg. No. 32797), Scott D. Stimpson (Reg. No. 33607), Gary S. Williams (Reg. No. 31066), Ann L. Gisolfi (Reg. No. 31956), Kelly D. Talcott (Reg. No. 39582), Francis D. Cerrito (Reg. No. 38100), Anthony M. Insogna (Reg. No. 35203), Brian M. Rothery (Reg. No. 35340), Brian D. Siff (Reg. No. 35679), Michael J. Lyons (Reg. No. 37386), Nikolaos C. George (Reg. No. 39201), Stephen S. Rabinowitz (Reg. No. 40286), Ognjan V. Shentov (Reg. No. 38051), Kenneth L. Stein (Reg. No. 38704), Andrew J. Gray (Reg. No. 41796), Henry C. Lebowitz (Reg. No. 36196), Leo Merken (Reg. No. 41192), Margaret B. Brivanlou (Reg. No. 40922), David R. Owens (Reg. No. 40756), Matthew E. Langer (Reg. No. 36343), Karen G. Horowitz (Reg. No. 35199), T. Christopher Tsang (Reg. No. 40258), and Carl P. Bretscher (Reg. No. 41635), all of Pennie & Edmonds LLP, whose addresses are 1155 Avenue of the Americas, New York, New York 10036, 1667 K Street N.W., Washington, DC 20006 and 3300 Hillview Avenue, Palo Alto, CA 94304, all of Pennie & Edmonds LLP (PTO Customer No. 20583), as its attorneys to prosecute this application and to transact all business in the United States Patent and Trademark Office connected therewith, said appointment to be to the exclusion of the inventors and their attorney(s) in accordance with the provisions of 37 C.F.R. 3.71, provided that, if any one of these attorneys ceases being affiliated with the law firm of Pennie & Edmonds LLP as partner, counsel, or employee, then the appointment of that attorney and all powers derived therefrom shall terminate on the date such attorney ceases being so affiliated.

Furthermore, also appointed to prosecute this application and to transact all business in the U.S. Patent and Trademark Office connected therewith are: Scott T. Bluni (Reg. No. 40,916), James R. Chiapetta (Reg. No. 39,634), Luke R. Dohmen (Reg. No. 36,783), Peter J. Gafner (Reg. No. 36,517), Albert K. Kau (Reg. No. 40,672), Steven A. McAuley (Reg. No. 46,084), Todd P. Messal (Reg. No. 42,883), Robert M. Rauker (Reg. No. 40,782) William J. Shaw (Reg. No. 43,111), and Kurt Lockwood (Reg. No. 40,704) all of Scimed Life Systems, Inc., whose address is 1 Scimed Place, Maple Grove, Minnesota 55311.

Please direct all correspondence for this application to customer no. 20583.

I am the:

- ☐ Applicant/Inventor
☒ Assignee of record of the entire interest. See 37 CFR 3.71.
(Statement under 37 CFR 3.73(b) is applicable)

Statement Under 37 C.F.R. 3.73(b)

states that it is:

- ☒ the assignee of the entire right, title, and interest; or
☐ an assignee of less than the entire right, title and interest.
The extent (by, percentage) of its ownership interest is %

in the patent application/patent identified above by virtue of either:

- ☒ An assignment from the inventor(s) of the patent application/patent identified above.
A copy of the assignment is attached.

OR

- ☐ A chain of title from the inventor(s), of the patent application/patent identified above,
to the current assignee as shown below:

1. From: To:

The document was recorded in the United States Patent and Trademark Office on
at Reel , Frame , or for which a copy thereof is attached.

2. From: To:

The document was recorded in the United States Patent and Trademark Office on
at Reel , Frame , or for which a copy thereof is attached.

3. From: To:

The document was recorded in the United States Patent and Trademark Office on
at Reel , Frame , or for which a copy thereof is attached.

- ☐ Additional documents in the chain of title are listed on a supplemental sheet.
☐ Copies of assignments of other documents in the chain of title are attached.
[Note: A separate copy (i.e., the original assignment document or a true copy of the original document) must be submitted to Assignment Division in accordance with 37 CFR Part 3, if the assignment is to be recorded in the records of the USPTO. See MPEP 302.08]

The undersigned (whose title is supplied below) is authorized to act on behalf of the assignee.

ASSIGNEE:

Date:

August 1, 2003

Signature:

Typed Name:

Scott T. Bluni

Position/Title:

Assistant Secretary

Address:

Scimed Life Systems, Inc.
1 Scimed Place
Maple Grove, Minnesota 55311